

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SORRENTO DEVON ELDER,

Defendant-Appellant.

UNPUBLISHED

May 21, 1999

No. 209696

Wayne Circuit Court

Criminal Division

LC No. 96-007892

Before: Griffin, P.J., and Cavanagh and Fitzgerald, JJ.

MEMORANDUM.

Defendant pleaded guilty to two counts of first-degree criminal sexual conduct, MCL 750.520b(1)(a); MSA 28.788(2)(1)(a), one count of third-degree criminal sexual conduct, MCL 750.520d(1)(a); MSA 28.788(4)(1)(a), two counts of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a), two counts of furnishing alcohol to minors, MCL 436.33(1); MSA 18.1004(1), and to second habitual offender status, MCL 769.10; MSA 28.1082. Defendant received enhanced sentences of twelve to 22-1/2 years' imprisonment on each CSC-I conviction, and sentences of five to fifteen years' imprisonment on the CSC-III and CSC-II convictions, and of ninety days' incarceration on the two furnishing alcohol convictions. Defendant appeals by leave. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant has waived an appellate challenge to the timeliness of the filing of the habitual offender enhancement notice by his unconditional plea to habitual offender status. *People v Lannom*, 441 Mich 490, 494-495; 490 NW2d 396 (1992); *People v Bollinger*, 224 Mich App 491, 492 n 1; 569 NW2d 646 (1997).

Affirmed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ E. Thomas Fitzgerald